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Attorney's Docket No.: 14618-007001
Client Ref. No.:RN143

REMARKS

Claims 1-14, 17-40, and 43-52 are pending in this application, with claims 1 and 27 being independent. Claims 1 and 27 have been amended. No new matter has been entered by way of these of amendments. Favorable reconsideration and reexamination are respectfully requested in view of the following comments of the Applicant, which are preceded by related comments of the Examiner in small bold type:

Claim Rejections - 35 USC § 103

Claims 1-3, 5, 8-11, 13, 14, 17, 18, 20, 21, 26, 27-29, 31, 34-37, 39, 40, 43, 44, 46, 47 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yurkovic (U.S. Patent No. 6,487,585) in view of Parasnis et al. (U.S. Patent No. 6,728,753), hereinafter, Parasnis.

Claims 1-3, 5, 8, 9, 11, 13-14, 17-22, 27-29, 31, 34, 35, 37, and 39-48 are rejected under 35 U.S.C. 103(a) as being anticipated by Bookspan et al. (U.S. Patent No. 6,636,888), hereinafter, Bookspan, in view of Parasnis.

Independent claim 1, as amended, recites a method for scheduling at a server device a network-based media event and sending a client device a message inviting an attendee to attend the network-based media event. The method also includes transferring to the client device program code that includes information relating to the media event and the attendee, the program code configured to cause a browser at the client device to be automatically launched for presentation of the media event based on the information relating to the media event and the attendee. The media event includes a data stream broadcast produced by the server device, and the data stream broadcast includes at least one of data encoded during production of the data stream broadcast and data previously encoded. The data stream broadcast includes a data channel for instructing a portion of the media event.

As amended, independent claim 1 recites a data stream broadcast includes a data channel for instructing a portion of a media event. For example, by carrying a dedicate data channel, the data stream can instruct a presentation of a media event and display information such as polling

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information among the participants of a media event. In this regard, the originally filed application reads:

> Once data signal 58 is received by server 38, data stream 60 is generated and broadcast 258 to the attendees. In the event that data signal 58 is already encoded (i.e., data signal 58 was sent by a host device that is a computer), data signal 58 is broadcast as a data stream 60 across network 24. Alternatively, if data signal 58 is not encoded or is encoded in a non-standard format, data signal 58 will be encoded 260 into a standard format (e.g., MPEG, AVI, and RM) prior to be broadcast as data stream 60. Depending on the type of media event, data stream 60 may be an audio stream, a video stream, or an audio/video stream. Data stream 60 may also carry a data channel that instructs a presentation to advance slides and display polls. (See, for example, on page 7, lines 17-25)

Referring to the subject action, the Examiner appears to concede that neither Yurkovic nor Bookspan specifically discloses transferring to the client device program code that includes information relating to the media event and the attendee, the program code configured to cause a browser at the client device to be automatically launched for presentation of the media event based on the information relating to the media event and the attendee. The media event includes a data stream broadcast produced by the server device, and the data stream broadcast includes at least one of data encoded during production of the data stream broadcast and data previously encoded. The Examiner appear to rely on Parasnis to disclose these features.

Applicant contends that Yurkovic, Bookspan, and Parasnis, individually or in combination, are not understood to disclose or suggest a data stream broadcast that includes a data channel for instructing a portion of the media event.

For at least this reason, amended independent claim 1 is believed to be patentable. Amended independent claim 27 includes subject matter that are similar to amended independent claim 1. As such, independent claim 27 is believed to be allowable for at least the same reasons noted above.

Dependent claims 2-14, 17-26, 28-40, and 43-52 partake of the novelty of their respective parent claim and, although it is believed that each dependent claim defines a separate patentable feature, for this reason the dependent claims are not discussed here in detail.

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> **Claims 12 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yurkovic in view of Parasnis or, in the alternative, under 35 U.S.C. 103(a) as being obvious.**

Claim 12 depends from amended independent claim 1, and claim 38 depends from amended independent claim 27. As mentioned above, neither Yurkovic nor Parasnis, alone or in combination, discloses or suggests a data stream broadcast that includes a data channel for instructing a portion of the media event. Accordingly, Applicant respectfully asserts that no combination of Yurkovic and Parasnis renders obvious the features of claims 12 and 38.

> **Claims 4, 7, 30 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yurkovic in view of Parasnis, and further in view of Hanson et al. (U.S. Patent No. 6,457,045), hereinafter, Hanson.**

Claims 4 and 7 depend from amended independent claim 1, and claims 30 and 33 depend from amended independent claim 27. As mentioned above, neither Yurkovic nor Parasnis, alone or in combination, disclose or suggest that a data stream broadcast includes a data channel for instructing a portion of the media event.

Hanson is not understood to remedy the foregoing deficiencies of Yurkovic and Parasnis. Rather, Hanson is understood to describe a system for assisting a group of participants, connected to a network, in making choices in regards to schedules, invitations, polls, or other similar situations. (See Abstract) In particular, Hanson describes that the dynamic content can be represented in a dynamic content region in a zaplet, and includes text or images, such as rich text HTML, based on mark-up languages or image construction languages. Consequently, the zaplet can supply all the look and feel possibilities of the World Wide Web ("Web"), and also the participants can experience interaction and collaborate with each other with increased efficiently than in know e-mail systems. (See, for example, col. 5, lines 26-33) Hanson does not concern encoding and decoding data using a data stream broadcast.

Thus, Hanson is not understood to disclose or suggest a data stream broadcast that includes a data channel for instructing a portion of the media event. Applicant respectfully asserts that claims 4, 7, 30 and 33 are patentable over the combination of cited references.

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Claim 6 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yurkovic in view of Parasnis, and further in view of Dunlap et al. (U.S. Patent No. 6,560,637), hereinafter, Dunlap.

Dunlap is not understood to remedy the foregoing deficiencies of Yurkovic and Parasnis. Rather, Dunlap appears to describe a presentation device that includes an embedded web server for transmitting slide presentation information (to network connected terminals) while simultaneously displaying the presentation. (See Abstract)

Thus, Dunlap is not understood to disclose or suggest a data stream broadcast that includes a data channel for instructing a portion of the media event. Accordingly, Applicant respectfully asserts that no combination of Yurkovic, Parasnis and Dunlap render obvious the features of claims 6 and 32.

Claims 23-25 and 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bookspan in view of Parasnis, and further in view of Hanson.

As presented above, no purported combination of Bookspan, Parasnis and Hanson discloses or suggests a data stream broadcast includes a data channel for instructing a portion of the media event. Applicant respectfully asserts that independent claims 23-25 and 49-51 are patentable over the combination of cited references.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing remarks, the entire application is now believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' attorney can be reached at the address shown below. Telephone calls regarding this application should be directed to 617-368-2191.

No fees are believed due at this time. Please apply any charges or credits to deposit account 06-1050, referencing Attorney Docket No. 14618-007001.

Respectfully submitted,

Date: _7 July 2008_

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